

**City of Greensboro Planning Department
Zoning Staff Report
April 10, 2006 Public Hearing**

The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.

Item: A
Location: North of Ballinger Road, West of Fleming Road and South of Old Oak Ridge Road

Applicant: City of Greensboro
Owner: Emily R. and Max D. Ballinger

From: County RS-40
To: City AG

Conditions: N/A

SITE INFORMATION	
Maximum Developable Units	N/A
Net Density	N/A
Existing Land Use	Undeveloped
Acreage	80±
Physical Characteristics	<i>Topography:</i> Rolling <i>Vegetation:</i> Wooded / Open Fields <i>Other:</i> N/A
Overlay Districts	N/A
Historic District/Resources	N/A
Generalized Future Land Use	Low Residential
Other	N/A

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	Greensboro Manor Assisted Living / Oak Ridge Meadows Townhomes	RM-5 / CD-RM-8
<i>South</i>	Single Family	RS-12
<i>East</i>	Single Family / Stadler Place Apartments	RS-15 / RM-8
<i>West</i>	Undeveloped	RS-12

ZONING HISTORY		
Case #	Year	Request Summary
2495	1996	The area surrounding this property was annexed effective June 30, 1996. However, the subject property has remained under the County zoning jurisdiction up to the present time.

DIFFERENCES BETWEEN RS-40 (EXISTING) AND AG (PROPOSED) ZONING DISTRICTS
RS-40: Primarily intended to accommodate single family detached dwellings on large lots and is intended solely for properties having one or more of the following characteristics: (a) Lies within the 60 DNL noise contour; (b) Lies in a public water supply watershed and where an outfall to provide public sewer service is not available; or (c) Lies in a portion of a watershed critical area to which an outfall to provide sewer service has been made available pursuant to an agreement, approved by the City and by another governmental jurisdiction, designed to limit development density to approximately that obtainable prior to sewer service.
AG: Primarily intended to accommodate uses of an agricultural nature including farm residences and farm tenant housing. It also accommodates scattered nonfarm residences on large tracts of land. It is not intended for major residential subdivisions.

TRANSPORTATION	
Street Classification	N/A.
Site Access	N/A.
Traffic Counts	N/A.
Trip Generation	N/A.
Sidewalks	N/A.
Transit	N/A.
Traffic Impact Study	N/A.
Street Connectivity	N/A.
Other	N/A.

ENVIRONMENTAL REVIEW	
Water Supply Watershed	Yes, Site drains to Greensboro watershed WS III
Floodplains	Floodplain and Floodway onsite. No development including fill is allowed within the floodway. Any proposed structure must meet floodplain requirements.
Streams	Two perennial streams onsite, stream buffer requirements apply even though the site will not be developed. 30' buffer on each side of the stream is required. Buffer must be measured from top of bank. No new built upon area is allowed in the entire buffer. See ordinance 30-7-1.8 for buffer requirements.
Other	Possibility of wetlands onsite. Site will not be developed at this time but if in the future was to be developed site will have to meet watershed requirements.

LANDSCAPING REQUIREMENTS	
Location	Required Planting Yard Type and Rate
North	N/A
South	N/A
East	N/A
West	N/A

CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

Connections 2025 Written Policies:

POLICY 9A.5: Continue to link City-initiated annexations and approvals of annexation petitions for water/sewer extension policies regarding designated growth areas.

Connections 2025 Map Policies:

The area requested for rezoning lies within the following map classifications:

Low Residential (3-5 d.u./acre): This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

CONFORMITY WITH OTHER PLANS

The following aspects of relevant plans may be applicable in this case:

City Plans: N/A

Other Plans: N/A

STAFF COMMENTS

Planning: This item results from an appeal to Superior Court on September 20, 1995 from the adoption of Annexation Ordinance 95-105 which was passed by the City Council on August 21, 1995. On March 11, 1997 an order was entered staying the operation of Ordinance 95-105 as it affected the subject property pending final outcome of review by the Court. The proposed zoning is the result of a settlement which has been reached in regard to this matter.

It was the specific intent of the settlement that the property owner will be able to continue to use the property as a farm for agricultural, forestry and horticultural purposes, in addition to all other uses permitted under the City's Agricultural zoning classification as long as such uses are consistent with local and State law.

GDOT: No additional comments.

Water Resources: No additional comments.

STAFF RECOMMENDATION

Based on all the information contained in this report, the Planning Department recommends approval.